

CRIMINAL CAUSE FOR SENTENCING (Time on bench :50)Before: Seybert, J. Date: 10/23/2009 Time: 11:30

Docket number: CR 05-654 Title: USA-V-

Deft name: Michael Fox deft: #  
 present  not present  in custody  on bail

Atty for deft: Gino Josh Singer C.J.A.  
 present  not present  retained

A.U.S.A.: Charles Kelly Deputy Clerk: C. Baran

U.S.P.O.: N. Pizzo

Court Reporter: P. Lombardi

- Case called for sentence. Counsel for all sides present.
- Statements of defendant and counsel heard.
- Defendant objections to the PSR are noted.
- Rulings re: Guidelines are entered on the record.
- PSR adopted.
- PSR adopted, as amended.
- Guidelines are adopted.
- Guidelines adopted, as amended.
- The defendant is sentenced as follows:
- The defendant is sentenced to a period of imprisonment of 24 months on Count 1, to be followed by a period of supervised release of 3 years.
- Special conditions of supervised release:
- The defendant shall not possess a firearm, ammunition, or destructive device.
- Other: The defendant shall make full financial disclosure to the Probation Dept. and pay restitution of \$142,000.00.

- The defendant shall be fined the sum of \$ .
- X The fine shall be waived due to the defendant's inability to pay such a fine.
- X Special assessment of \$100 is imposed on each count for a total assessment of 100.00 .
- The defendant's motion for a downward departure of the Guidelines is hereby:
- Decision entered on the record.
- On motion of the AUSA the remaining counts of the Indictment and/or Superseding Indictment are hereby dismissed.
- X The defendant is advised of his right to appeal.

The defendant        remains in custody. X remains on bail.  
       is remanded. X shall surrender on 1/ 4/2010.